

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE BIOPURE CORPORATION
SECURITIES LITIGATION

Civ. No. 03-12628 -NG

**ASSENTED-TO MOTION FOR LEAVE TO FILE
PLAINTIFF'S REPLY MEMORANDUM IN SUPPORT OF
PLAINTIFF'S MOTION TO LIFT THE AUTOMATIC STAY OF DISCOVERY**

The Plaintiff, with the assent of the Defendants, respectfully moves this Court for leave, under Local Rule 7.1(b)(3), to submit the accompanying Plaintiff's Reply Memorandum In Support Of Plaintiff's Motion To Lift The Automatic Stay Of Discovery ("the Reply Memorandum"). As grounds for this motion, the Plaintiff states as follows:

1. The Reply Memorandum is brief (just three pages) and provides context for the Court's consideration of multiple pending motions and opposition papers.
2. Counsel for Defendants assents to the relief sought by this Motion.

WHEREFORE, the Plaintiff respectfully requests that this Assented To Motion For Leave To File Plaintiff's Reply Memorandum In Support Of Plaintiff's Motion To Lift The Automatic Stay Of Discovery be granted.

Dated: January 27, 2006

Respectfully submitted,

SHAPIRO HABER & URMY LLP

/s/Edward F. Haber

Edward F. Haber BBO #215620
Theodore M. Hess-Mahan BBO #557109
Matthew L. Tuccillo BBO # 643336
53 State Street
Boston, MA 02109
(617) 439-3939

STULL, STULL & BRODY

Jules Brody
Howard T. Longman
6 East 45th Street
New York, New York 10017
(212) 687-7230

**Co-Lead Counsel For
Lead Plaintiff and The Class**

Certification of Compliance with Local Rule 7.1(A)(2)

I hereby certify that the parties' counsel conferred in a good faith effort to narrow or resolve the issues raised in this motion. Counsel for Defendants assents to the relief sought by this motion.

/s/ Edward F. Haber

Edward F. Haber

Certificate of Service

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing ("NEF") and paper copies will be sent to those indicated as nonregistered participants on the 27th day of January, 2006.

/s/ Edward F. Haber

Edward F. Haber